

HAROLD J. MILSTEIN (No. 145074)
JOHN C. WILSON (No. 185953)
HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025
(650) 324-7000
(650) 324-0638 (fax)
harold.milstein@hellerehrman.com
john.wilson@hellerehrman.com

Attorneys for Plaintiff
SPOTLIGHT SURGICAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SPOTLIGHT SURGICAL, INC.,

Plaintiff,

v.

DEPUY, INC. and DEPUY SPINE, INC.,

Defendants.

Case No. C-07-03362 JF

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

Plaintiff Spotlight Surgical, Inc., on the one hand, and defendants DePuy, Inc. and DePuy Spine, Inc., on the other, hereby stipulate and agree, through their respective counsel, as follows:

1. The Court's Order Re Plaintiff's Ex Parte Application to Extend Dates entered on September 10, 2007 sets forth the following deadlines:

November 6, 2007

Last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; and
- file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

Heller
Ehrman LLP

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

CASE NO.: C-07-03362 JF

November 20, 2007

Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement.

November 30, 2007

Initial Case Management Conference (CMC) in Courtroom 3, 5th Floor, SJ at 10:30 a.m.

2. The parties are engaged in settlement discussions in an effort to resolve this litigation.

3. The parties wish to continue the Initial Case Management Conference and extend the deadlines for the parties to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan; file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference; and file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement, all for approximately 30 days, in order to conserve the resources of the parties and the Court and to allow the parties the opportunity to continue focusing on settlement discussions.

4. There being good cause, the parties hereby stipulate and respectfully request that the Court issue an Order resetting the above deadlines as follows:

December 6, 2007

Last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; and
- file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

December 20, 2007

Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement.

January 4, 2008

**Initial Case Management Conference (CMC) in Courtroom
3, 5th Floor, SJ at 10:30 a.m.**

Dated: November 2, 2007

HELLER EHRMAN LLP

By /HJM/

Harold J. Milstein

Attorneys For Plaintiff SPOTLIGHT
SURGICAL, INC.

Dated: November 2, 2007

MORGAN, LEWIS & BOCKIUS LLP

By

Leslie C. McKnew

**Attorneys for Defendants DEPUY, INC. and
DEPUY SPINE, INC.**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2007

The Honorable Jeremy Fogel
United States District Judge

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES

CASE NO.: C-07-03362 JF